



General Assembly

January Session, 2005

**Amendment**

LCO No. 7478

\*HB0666907478HDO\*

Offered by:

REP. CARUSO, 126<sup>th</sup> Dist.  
REP. DONOVAN, 84<sup>th</sup> Dist.  
REP. O'BRIEN, 24<sup>th</sup> Dist.

REP. FLOREN, 149<sup>th</sup> Dist.  
REP. WARD, 86<sup>th</sup> Dist.  
REP. CAFERO, 142<sup>nd</sup> Dist.

To: Subst. House Bill No. 6669

File No. 233

Cal. No. 230

**"AN ACT CONCERNING ABSENTEE VOTING, ELECTIONS  
ENFORCEMENT, A VOTING TECHNOLOGY STANDARDS BOARD,  
NOMINATION PROCEDURES, TRAINING FOR ELECTION  
OFFICIALS, CAMPAIGN FINANCE REPORTING, RESTORATION  
OF VOTING RIGHTS AND VOTER REGISTRATION."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 9-135 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective July 1, 2005, and*  
5 *applicable to elections, primaries and referenda held on or after September 1,*  
6 *2005*):

7 (a) Any elector eligible to vote at a primary or an election and any  
8 person eligible to vote at a referendum may vote by absentee ballot if  
9 he is unable to appear at his polling place during the hours of voting  
10 for any of the following reasons: (1) His active service with the armed  
11 forces of the United States; (2) his absence from the town of his voting

12 residence during all of the hours of voting; (3) his illness; (4) his  
13 physical disability; (5) the tenets of his religion forbid secular activity  
14 on the day of the primary, election or referendum; or (6) the required  
15 performance of his duties as a primary, election or referendum official  
16 at a polling place other than his own during all of the hours of voting  
17 at such primary, election or referendum.

18 (b) No person shall misrepresent the eligibility requirements for  
19 voting by absentee ballot prescribed in subsection (a) of this section, to  
20 any elector or prospective absentee ballot applicant.

21 Sec. 2. Subsection (a) of section 9-140 of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective July*  
23 *1, 2005, and applicable to elections, primaries and referenda held on or after*  
24 *September 1, 2005*):

25 (a) Application for an absentee ballot shall be made to the clerk of  
26 the municipality in which the applicant is eligible to vote or has  
27 applied for such eligibility. Any person who assists another person in  
28 the completion of an application shall, in the space provided, sign the  
29 application and print or type his name, residence address and  
30 telephone number. Such signature shall be made under the penalties of  
31 false statement in absentee balloting. The municipal clerk shall not  
32 invalidate the application solely because it does not contain the name  
33 of a person who assisted the applicant in the completion of the  
34 application. The municipal clerk shall not distribute with an absentee  
35 ballot application any material which promotes the success or defeat of  
36 any candidate or referendum question. The municipal clerk shall  
37 maintain a log of all absentee ballot applications provided under this  
38 subsection, including the name and address of each person to whom  
39 applications are provided and the number of applications provided to  
40 each such person. Each absentee ballot application provided by the  
41 municipal clerk shall be consecutively numbered and be stamped or  
42 marked with the name of the municipality issuing the application. The  
43 application shall be signed by the applicant under the penalties of false  
44 statement in absentee balloting on (1) the form prescribed by the

45 Secretary of the State pursuant to section 9-139a, (2) a form provided  
46 by any federal department or agency if applicable pursuant to section  
47 9-153a, or (3) any of the special forms of application prescribed  
48 pursuant to section 9-150c, 9-153a, 9-153b, 9-153d, 9-153e, 9-153f or 9-  
49 158d, if applicable. Any such absentee ballot applicant who is unable  
50 to write may cause the application to be completed by an authorized  
51 agent who shall, in the spaces provided for the date and signature,  
52 write the date and name of the absentee ballot applicant followed by  
53 the word "by" and his own signature. If the ballot is to be mailed to the  
54 applicant, the applicant shall list the bona fide personal mailing  
55 address of the applicant in the appropriate space on the application.

56 Sec. 3. Section 9-140 of the general statutes is amended by adding  
57 subsections (k) to (o), inclusive, as follows (*Effective July 1, 2005, and*  
58 *applicable to elections, primaries and referenda held on or after September 1,*  
59 *2005*):

60 (NEW) (k) (1) A person shall register with the town clerk before  
61 distributing five or more absentee ballot applications for an election,  
62 primary or referendum, not including applications distributed to such  
63 person's immediate family. Such requirement shall not apply to a  
64 person who is the designee of an applicant.

65 (2) Any person who distributes absentee ballot applications shall  
66 maintain a list of the names and addresses of prospective absentee  
67 ballot applicants who receive such applications, and shall file such list  
68 with the town clerk prior to the date of the primary, election or  
69 referendum for which the applications were so distributed. Any  
70 person who distributes absentee ballot applications and receives an  
71 executed application shall forthwith file the application with the town  
72 clerk.

73 (NEW) (l) No candidate, party or political committee, or agent of  
74 such candidate or committee shall mail unsolicited applications for  
75 absentee ballots to any person, unless such mailing includes: (1) A  
76 written explanation of the eligibility requirements for voting by

77 absentee ballot as prescribed in subsection (a) of section 9-135, as  
78 amended by this act, and (2) a written warning that voting or  
79 attempting to vote by absentee ballot without meeting one or more of  
80 such eligibility requirements subjects the elector or applicant to  
81 potential civil and criminal penalties. As used in this subsection,  
82 "agent" means any person authorized to act on behalf of another  
83 person.

84 (NEW) (m) The Secretary of the State shall conspicuously post on  
85 the Secretary of the State's web site, adjacent to the absentee ballot  
86 application form available for downloading, a notice that the  
87 application may be downloaded by a person only for (1) the person's  
88 own use, (2) the use of a member of the person's immediate family, or  
89 (3) the use of a designee of the applicant. The notice shall also contain  
90 an advisory statement concerning the requirements of subsection (k) of  
91 this section.

92 (NEW) (n) The State Elections Enforcement Commission, in  
93 consultation with the Secretary of the State, shall prepare a summary  
94 of the requirements and prohibitions of the absentee voting laws,  
95 which shall be posted on said agencies' web sites. Candidates and  
96 political party chairpersons shall provide such summary to campaign  
97 and party employees and volunteers.

98 (NEW) (o) As used in this section, (1) "immediate family" has the  
99 same meaning as provided in subsection (a) of section 9-140b, and (2)  
100 "designee" has the same meaning as provided in subsection (b) of  
101 section 9-140b.

102 Sec. 4. Section 9-159q of the general statutes is repealed and the  
103 following is substituted in lieu thereof (*Effective July 1, 2005, and*  
104 *applicable to elections, primaries and referenda held on or after September 1,*  
105 *2005*):

106 (a) As used in this section:

107 (1) "Institution" means a veterans' health care facility, residential

108 care home, health care facility for the handicapped, nursing home, rest  
109 home, mental health facility, alcohol or drug treatment facility, [or] an  
110 infirmary operated by an educational institution for the care of its  
111 students, faculty and employees or an assisted living facility; and

112 (2) "Designee" means an elector of the same town and political party  
113 as the appointing registrar of voters which elector is not an employee  
114 of the institution at which supervised voting is conducted.

115 (b) Notwithstanding any provision of the general statutes to the  
116 contrary, if less than twenty of the patients in any institution in the  
117 state are electors, absentee ballots voted by such electors shall, upon  
118 request of either registrar of voters in the town of such electors' voting  
119 residence or the administrator of such institution, be voted under the  
120 supervision of such registrars of voters or their designees in  
121 accordance with the provisions of this section. The registrars of voters  
122 of a town other than the town in which an institution is located may  
123 refuse a request by the administrator of such institution when, in their  
124 written opinion, the registrars agree that such request is unnecessary,  
125 in which case this section shall not apply. Such registrars shall inform  
126 the administrator and the town clerk of the electors' town of voting  
127 residence of their refusal.

128 (c) Except as provided in subsection (e) of this section, such request  
129 shall be made in writing and filed with the town clerk and registrars of  
130 voters of the town of such electors' voting residence, not more than  
131 forty-five days prior to an election or thirty-four days prior to a  
132 primary and not later than the seventh day prior to an election or  
133 primary. The request shall specify the name and location of the  
134 institution and the date and time when the registrars of voters or their  
135 designees shall supervise the casting of absentee ballots at the  
136 institution. The request shall also specify one or more alternate dates  
137 and times when supervised voting may occur. No request shall specify  
138 a date or an alternate date for supervised voting which is later than the  
139 last business day before the election or primary.

140 (d) The town clerk shall not mail or otherwise deliver an absentee  
141 ballot to an applicant who is a patient in any institution if a request for  
142 supervision of absentee balloting at that institution has been filed with  
143 the clerk during the period set forth in subsection (c) of this section.  
144 The clerk shall instead deliver such ballot or ballots to the registrars of  
145 voters or their designees who will supervise the voting of such ballots  
146 in accordance with this section.

147 (e) Except in the case of a written refusal as provided in subsection  
148 (b) of this section, upon receipt of a request for supervision of absentee  
149 balloting during the period set forth in subsection (c) of this section,  
150 the registrar or registrars of voters who received the request shall  
151 inform the registrar or administrator who made the request and the  
152 town clerk as to the date and time when such supervision shall occur,  
153 which shall be the date and time contained in the request or the  
154 alternate date and time contained in the request. If the registrar or  
155 registrars fail to select either date, the supervision shall take place on  
156 the date and time contained in the request. If a request for supervision  
157 of absentee balloting at an institution is filed during the period set  
158 forth in subsection (c) of this section and the town clerk receives an  
159 application for an absentee ballot from a patient in the institution after  
160 the date when supervised balloting occurred, either registrar of voters  
161 may request, in writing, to the appropriate town clerk and registrars of  
162 voters that the supervision of the voting of absentee ballots at such  
163 institution in accordance with this section be repeated, and in such  
164 case the registrars or their designees shall supervise absentee balloting  
165 at such institution on the date and at the time specified in the  
166 subsequent request, which shall be not later than the last business day  
167 before the election or primary.

168 (f) On the date when the supervision of absentee balloting at any  
169 institution is to occur, the town clerk shall deliver to the registrars or  
170 their designees the absentee ballots and envelopes for all applicants  
171 who are electors of such clerk's town and patients at such institution.  
172 The ballot and envelopes shall be prepared for delivery to the  
173 applicant as provided in sections 9-137 to 9-140a, inclusive. The

174 registrars or their designees shall furnish the town clerk a written  
175 receipt for such ballots.

176 (g) The registrars or their designees, as the case may be, shall jointly  
177 deliver the ballots to the respective applicants at the institution and  
178 shall jointly supervise the voting of such ballots. The ballots shall be  
179 returned to the registrars or their designees by the electors in the  
180 envelopes provided and in accordance with the provisions of sections  
181 9-137, 9-139 and 9-140a. If any elector asks for assistance in voting his  
182 ballot, two registrars or their designees of different political parties or,  
183 for a primary, their designees of different candidates, shall render such  
184 assistance as they deem necessary and appropriate to enable such  
185 elector to vote his ballot. The registrars or their designees may reject a  
186 ballot when (1) the elector declines to vote a ballot, or (2) the registrars  
187 or their designees are unable to determine how the elector who has  
188 requested their assistance desires to vote the ballot. When the  
189 registrars or their designees reject a ballot, they shall mark the serially-  
190 numbered outer envelope "rejected" and note the reasons for rejection.  
191 Nothing in this section shall limit the right of an elector to vote his  
192 ballot in secret.

193 (h) After all ballots have been voted or marked "rejected" in  
194 accordance with subsection (g) of this section, the registrars or their  
195 designees shall jointly deliver or mail them in the envelopes, which  
196 shall be sealed, to the appropriate town clerk, who shall retain them  
197 until delivered in accordance with section 9-140c.

198 (i) When an institution is located in a town having a primary, the  
199 registrar in that town of the party holding the primary shall appoint  
200 for each such institution, one designee of the party-endorsed  
201 candidates and one designee of the contestants from the lists, if any,  
202 submitted by the party-endorsed candidates and contestants. Such  
203 registrar shall notify all party-endorsed candidates and all contestants  
204 of their right to submit a list of potential designees under this section.  
205 Each party-endorsed candidate and each contestant may submit to  
206 such registrar in writing a list of names of potential designees,

207 provided any such list shall be submitted not later than ten days before  
208 the primary. If no such lists are submitted within said period, such  
209 registrar shall appoint one designee of the party-endorsed candidates  
210 and one designee of the contestants. Each designee appointed  
211 pursuant to this section shall be sworn to the faithful performance of  
212 his duties, and the registrar shall file a certificate of each designation  
213 with his town clerk.

214 (j) Any registrar of voters who has filed a request that the absentee  
215 balloting at an institution be supervised and any registrar required to  
216 conduct a supervision of voting under this section, who neglects to  
217 perform any of the duties required of him by this section so as to cause  
218 any elector to lose his vote shall be guilty of a class A misdemeanor.  
219 Any registrar from the same town as a registrar who has filed such a  
220 request may waive his right to participate in the supervision of  
221 absentee balloting.

222 (k) Notwithstanding any provision of this section to the contrary, if  
223 the spouse or a child of a registrar of voters or a dependent relative  
224 residing in the registrar's household is a candidate in the election or  
225 primary for which supervised absentee voting is to occur, such  
226 registrar shall not supervise such absentee voting but may designate  
227 the deputy registrar of voters or an assistant registrar of voters,  
228 appointed by the registrar pursuant to section 9-192, to supervise the  
229 absentee voting in his place.

230 (l) Notwithstanding any provision of the general statutes, if a town  
231 clerk receives twenty or more absentee ballot applications from the  
232 same street address in a town, including, but not limited to, an  
233 apartment building or complex, absentee ballots voted by the electors  
234 submitting such applications may, at the discretion of the registrars of  
235 voters of such town, be voted under the supervision of such registrars  
236 of voters or their designees in accordance with the same procedures set  
237 forth in this section for supervised absentee voting at institutions.

238 Sec. 5. Subsection (c) of section 54-56e of the general statutes is



239 repealed and the following is substituted in lieu thereof (*Effective July*  
240 *1, 2005, and applicable to elections, primaries and referenda held on or after*  
241 *September 1, 2005*):

242 (c) This section shall not be applicable: (1) To any person charged  
243 with a class A felony, a class B felony, except a violation of section 53a-  
244 122 that does not involve the use, attempted use or threatened use of  
245 physical force against another person, or a violation of section 14-227a,  
246 subdivision (2) of subsection (a) of section 53-21, section 53a-56b, 53a-  
247 60d, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-  
248 196e or 53a-196f, (2) to any person charged with a crime or motor  
249 vehicle violation who, as a result of the commission of such crime or  
250 motor vehicle violation, causes the death of another person, (3) to any  
251 person accused of a family violence crime as defined in section 46b-38a  
252 who (A) is eligible for the pretrial family violence education program  
253 established under section 46b-38c, or (B) has previously had the  
254 pretrial family violence education program invoked in such person's  
255 behalf, (4) to any person charged with a violation of section 21a-267 or  
256 21a-279 who (A) is eligible for the pretrial drug education program  
257 established under section 54-56i, or (B) has previously had the pretrial  
258 drug education program invoked in such person's behalf, [or] (5)  
259 unless good cause is shown, to any person charged with a class C  
260 felony, or (6) to any person charged with a violation of section 9-359 or  
261 9-359a.

262 Sec. 6. Subsection (a) of section 9-7b of the general statutes is  
263 repealed and the following is substituted in lieu thereof (*Effective July*  
264 *1, 2005*):

265 (a) The State Elections Enforcement Commission shall have the  
266 following duties and powers:

267 (1) To make investigations on its own initiative or with respect to  
268 statements filed with the commission by the Secretary of the State or  
269 any town clerk, or upon written complaint under oath by any  
270 individual, with respect to alleged violations of any provision of the

271 general statutes relating to any election or referendum, any primary  
272 held pursuant to section 9-423, 9-425 or 9-464 or any primary held  
273 pursuant to a special act, and to hold hearings when the commission  
274 deems necessary to investigate violations of any provisions of the  
275 general statutes relating to any such election, primary or referendum,  
276 and for the purpose of such hearings the commission may administer  
277 oaths, examine witnesses and receive oral and documentary evidence,  
278 and shall have the power to subpoena witnesses under procedural  
279 rules the commission shall adopt, to compel their attendance and to  
280 require the production for examination of any books and papers which  
281 the commission deems relevant to any matter under investigation or in  
282 question. In connection with its investigation of any alleged violation  
283 of any provision of chapter 145, or of any provision of section 9-359 or  
284 section 9-359a, the commission shall also have the power to subpoena  
285 any municipal clerk and to require the production for examination of  
286 any absentee ballot, inner and outer envelope from which any such  
287 ballot has been removed, depository envelope containing any such  
288 ballot or inner or outer envelope as provided in sections 9-150a and 9-  
289 150b and any other record, form or document as provided in section 9-  
290 150b, in connection with the election, primary or referendum to which  
291 the investigation relates. In case of a refusal to comply with any  
292 subpoena issued pursuant to this subsection or to testify with respect  
293 to any matter upon which that person may be lawfully interrogated,  
294 the superior court for the judicial district of Hartford, on application of  
295 the commission, may issue an order requiring such person to comply  
296 with such subpoena and to testify; failure to obey any such order of the  
297 court may be punished by the court as a contempt thereof. In any  
298 matter under investigation which concerns the operation or inspection  
299 of or outcome recorded on any voting machine, the commission may  
300 issue an order to the municipal clerk to impound such machine until  
301 the investigation is completed;

302 (2) To levy a civil penalty not to exceed (A) two thousand dollars  
303 per offense against any person the commission finds to be in violation  
304 of any provision of chapter 145, part V of chapter 146, part I of chapter

147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17, section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-23r, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-232i to 9-232o, inclusive, 9-404a to 9-404c, inclusive, 9-409, 9-410, 9-412, 9-436, 9-436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, [or] (B) two thousand dollars per offense against any town clerk, registrar of voters, an appointee or designee of a town clerk or registrar of voters, or any other election or primary official whom the commission finds to have failed to discharge a duty imposed by any provision of chapter 146 or 147, (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum, or (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 150. The commission may levy a civil penalty against any person under subparagraph (A), [or] (B), (C) or (D) of this subdivision only after giving the person an opportunity to be heard at a hearing conducted in accordance with sections 4-176e to 4-184, inclusive. In the case of failure to pay any such penalty levied pursuant to this subsection within thirty days of written notice sent by certified or registered mail to such person, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to pay the penalty imposed and such court costs, state marshal's fees and attorney's fees incurred by the commission as the court may determine. Any civil penalties paid, collected or recovered under subparagraph [(B)] (D) of this subdivision for a violation of any provision of chapter 150 applying to the office of the Treasurer shall be deposited on a pro rata basis in any trust funds, as defined in section 3-13c, affected by such violation;

(3) (A) To issue an order requiring any person the commission finds to have received any contribution or payment which is prohibited by any of the provisions of chapter 150, after an opportunity to be heard

339 at a hearing conducted in accordance with the provisions of sections 4-  
340 176e to 4-184, inclusive, to return such contribution or payment to the  
341 donor or payor, or to remit such contribution or payment to the state  
342 for deposit in the General Fund, whichever is deemed necessary to  
343 effectuate the purposes of chapter 150;

344 (B) To issue an order when the commission finds that an intentional  
345 violation of any provision of chapter 150 has been committed, after an  
346 opportunity to be heard at a hearing conducted in accordance with  
347 sections 4-176e to 4-184, inclusive, which order may contain one or  
348 more of the following sanctions: (i) Removal of a campaign treasurer,  
349 deputy campaign treasurer or solicitor; (ii) prohibition on serving as a  
350 campaign treasurer, deputy campaign treasurer or solicitor, for a  
351 period not to exceed four years; and (iii) in the case of a party  
352 committee or a political committee, suspension of all political  
353 activities, including, but not limited to, the receipt of contributions and  
354 the making of expenditures, provided the commission may not order  
355 such a suspension unless the commission has previously ordered the  
356 removal of the campaign treasurer and notifies the officers of the  
357 committee that the commission is considering such suspension;

358 (C) To issue an order revoking any person's eligibility to be  
359 appointed or serve as an election, primary or referendum official or  
360 unofficial checker or in any capacity at the polls on the day of an  
361 election, primary or referendum, when the commission finds such  
362 person has intentionally violated any provision of the general statutes  
363 relating to the conduct of an election, primary or referendum, after an  
364 opportunity to be heard at a hearing conducted in accordance with  
365 sections 4-176e to 4-184, inclusive;

366 (D) To issue an order to enforce the provisions of the Help America  
367 Vote Act, P.L. 107-252, as amended from time to time, as the  
368 commission deems appropriate;

369 (E) To issue an order following the commission's determination of  
370 the right of an individual to be or remain an elector when such

371 determination is made (i) pursuant to an appeal taken to the  
372 commission from a decision of the registrars of voters or board of  
373 admission of electors under section 9-311, as amended by this act, or (ii)  
374 following the commission's investigation pursuant to subdivision (1) of  
375 this subsection;

376 (4) To inspect or audit at any reasonable time and upon reasonable  
377 notice the accounts or records of any campaign treasurer or principal  
378 campaign treasurer, as required by chapter 150 and to audit any such  
379 election, primary or referendum held within the state; provided, (A) (i)  
380 not later than two months preceding the day of an election at which a  
381 candidate is seeking election, the commission shall complete any audit  
382 it has initiated in the absence of a complaint that involves a committee  
383 of the same candidate from a previous election, and (ii) during the  
384 two-month period preceding the day of an election at which a  
385 candidate is seeking election, the commission shall not initiate an audit  
386 in the absence of a complaint that involves a committee of the same  
387 candidate from a previous election, and (B) the commission shall not  
388 audit any caucus, as defined in subdivision (1) of section 9-372;

389 (5) To attempt to secure voluntary compliance, by informal methods  
390 of conference, conciliation and persuasion, with any provision of  
391 chapters 149 to 153, inclusive, or any other provision of the general  
392 statutes relating to any such election, primary or referendum;

393 (6) To consult with the Secretary of the State, the Chief State's  
394 Attorney or the Attorney General on any matter which the commission  
395 deems appropriate;

396 (7) To refer to the Chief State's Attorney evidence bearing upon  
397 violation of any provision of chapters 149 to 153, inclusive, or any  
398 other provision of the general statutes pertaining to or relating to any  
399 such election, primary or referendum;

400 (8) To refer to the Attorney General evidence for injunctive relief  
401 and any other ancillary equitable relief in the circumstances of  
402 subdivision (7) of this subsection. Nothing in this subdivision shall

403 preclude a person who claims that he is aggrieved by a violation of any  
404 provision of chapter 152 or any other provision of the general statutes  
405 relating to referenda from pursuing injunctive and any other ancillary  
406 equitable relief directly from the Superior Court by the filing of a  
407 complaint;

408 (9) To refer to the Attorney General evidence pertaining to any  
409 ruling which the commission finds to be in error made by election  
410 officials in connection with any election, primary or referendum. Those  
411 remedies and procedures available to parties claiming to be aggrieved  
412 under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall  
413 apply to any complaint brought by the Attorney General as a result of  
414 the provisions of this subdivision;

415 (10) To consult with the United States Department of Justice and the  
416 United States Attorney for Connecticut on any investigation pertaining  
417 to a violation of this section, section 9-12, subsection (a) of section 9-17  
418 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-  
419 23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a,  
420 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department and  
421 attorney evidence bearing upon any such violation for prosecution  
422 under the provisions of the National Voter Registration Act of 1993,  
423 P.L. 103-31, as amended from time to time;

424 (11) To inspect reports filed with the Secretary of the State and with  
425 town clerks pursuant to chapter 150 and refer to the Chief State's  
426 Attorney evidence bearing upon any violation of law therein if such  
427 violation was committed knowingly and wilfully;

428 (12) To intervene in any action brought pursuant to the provisions  
429 of sections 9-323, 9-324, 9-328 and 9-329a upon application to the court  
430 in which such action is brought when in the opinion of the court it is  
431 necessary to preserve evidence of possible criminal violation of the  
432 election laws;

433 (13) To adopt and publish regulations pursuant to chapter 54 to  
434 carry out the provisions of section 9-7a, this section and chapter 150; to

435 issue upon request and publish advisory opinions in the Connecticut  
436 Law Journal upon the requirements of chapter 150, and to make  
437 recommendations to the General Assembly concerning suggested  
438 revisions of the election laws;

439 (14) To the extent that the Elections Enforcement Commission is  
440 involved in the investigation of alleged or suspected criminal  
441 violations of any provision of the general statutes pertaining to or  
442 relating to any such election, primary or referendum and is engaged in  
443 such investigation for the purpose of presenting evidence to the Chief  
444 State's Attorney, the Elections Enforcement Commission shall be  
445 deemed a law enforcement agency for purposes of subdivision (3) of  
446 subsection (b) of section 1-210, provided nothing in this section shall be  
447 construed to exempt the Elections Enforcement Commission in any  
448 other respect from the requirements of the Freedom of Information  
449 Act, as defined in section 1-200;

450 (15) To enter into such contractual agreements as may be necessary  
451 for the discharge of its duties, within the limits of its appropriated  
452 funds and in accordance with established procedures;

453 (16) To provide the Secretary of the State with notice and copies of  
454 all decisions rendered by the commission in contested cases, advisory  
455 opinions and declaratory judgments, at the time such decisions,  
456 judgments and opinions are made or issued;

457 (17) To receive and determine complaints filed under the Help  
458 America Vote Act, P.L. 107-252, as amended from time to time, by any  
459 person who believes there is a violation of any provision of Title III of  
460 P.L. 107-252, as amended. Any complaint filed under this subdivision  
461 shall be in writing, notarized and signed and sworn by the person  
462 filing the complaint. At the request of the complainant, there shall be a  
463 hearing on the record, conducted in accordance with sections 4-167e to  
464 4-184, inclusive. The commission shall make a final determination with  
465 respect to a complaint prior to the expiration of the ninety-day period  
466 beginning on the date the complaint is filed, unless the complainant

467 consents to a longer period for making such determination. If the  
468 commission fails to meet the applicable deadline under this  
469 subdivision with respect to a complaint, the commission shall resolve  
470 the complaint within sixty days after the expiration of such ninety-day  
471 period under an alternative dispute resolution procedure established  
472 by the commission.

473 Sec. 7. Section 9-31l of the general statutes is repealed and the  
474 following is substituted in lieu thereof (*Effective July 1, 2005*):

475 (a) (1) A person who is denied admission as an elector may appeal a  
476 decision of an admitting official of a town concerning the right of such  
477 person to be or remain an elector. Any such appeal [from a decision of  
478 an admitting official concerning the right of a person to be or remain  
479 an elector] shall be made to the registrars of voters of [the] such town,  
480 [where such right is in dispute, except that an appeal from the decision  
481 of a registrar] except that if the admitting official who made such  
482 decision is a registrar of voters, the appeal shall be made to the board  
483 for admission of electors of such town.

484 [(b)] (2) Notice of an appeal shall be in writing and delivered to the  
485 registrars or to the board for admission of electors. Within seven days  
486 after receipt of a notice of appeal, the registrars or the board, as the  
487 case may be, shall give written notice of the time and place where such  
488 appeal will be heard to the appellant and to the admitting official  
489 whose decision is the subject of the appeal. Such appeal shall be heard  
490 within twenty-one days after notice of the appeal is delivered to the  
491 registrars or the board. [A] Neither a registrar whose decision is the  
492 subject of the appeal nor a registrar who is an appellant shall [not] be a  
493 voting member of the board which hears the appeal.

494 [(c)] (3) The registrars or the board may receive sworn testimony  
495 and any other evidence relating to the qualifications of such person to  
496 be or remain an elector.

497 [(d)] (4) Within seven days after hearing an appeal, the registrars or  
498 the board shall render a decision and shall send written notice of the



499 decision to the appellant [.] and the admitting official whose decision  
500 was the subject of the appeal. [and, if he is not the appellant, the  
501 person whose right to be or remain an elector was in dispute.]

502 (b) (1) The person whose right to be or remain an elector is in  
503 dispute may appeal the decision of the registrars or the board for the  
504 admission of electors under subsection (a) of this section to the State  
505 Elections Enforcement Commission. If an appeal is not made to the  
506 commission as provided in this subsection, the decision of the  
507 registrars or the board shall be final.

508 (2) Any such appeal shall be in writing and filed with the State  
509 Elections Enforcement Commission at its principal offices not later  
510 than fourteen days following the decision of the registrars or the  
511 board. A copy of any such notice of appeal shall also be delivered  
512 within such time to the registrars or the board that rendered the  
513 decision under subsection (a) of this section.

514 (3) The registrars or the board shall, not later than ten days after  
515 receipt of a copy of the notice of appeal, deliver the record of the  
516 hearing of the registrars or board under subsection (a) of this section to  
517 the commission.

518 (4) The commission shall hear such appeal not later than twenty-one  
519 days after notice of appeal is filed with the commission and shall be  
520 conducted in accordance with the provisions of sections 4-176e to 4-  
521 180a, inclusive, and section 4-181a. The commission may consider the  
522 record of the hearing delivered by the registrars or the board and may  
523 examine witnesses, documents and any other evidence that it  
524 determines may have a bearing on the proper determination of the  
525 issues brought on appeal. The commission's hearing shall be recorded.

526 (5) The commission shall render its decision not later than sixty days  
527 after the close of its hearing, except that an extension of time may be  
528 granted by the commission upon application of any party that sets  
529 forth circumstances that the commission determines is appropriate to  
530 granting an extension of time. The commission may also initiate an

531 extension of time for rendering its decision, after written notice to the  
532 parties, provided all of the parties before the commission give their  
533 prior written consent.

534 (6) The decision of the commission shall determine the person's  
535 right to be or remain an elector. If any such decision is adverse to such  
536 individual's right, the commission shall order both registrars to  
537 remove the elector's name from the town's active and inactive registry  
538 list and any enrollment list. Any person whose name has been so  
539 removed may reapply for admission as an elector with the registrars of  
540 voters of the same town at any time. If such application is made within  
541 four years after the commission's decision, both registrars may  
542 approve such application only after they find that there has been a  
543 substantial change in the circumstances that provided the basis for the  
544 commission's decision and that the individual is eligible to be an  
545 elector. Registrars who approve an individual's application for  
546 admission within this time period without a substantial change in  
547 circumstances may be subject to a civil penalty imposed by the  
548 commission in accordance with subdivision (2) of subsection (a) of  
549 section 9-7b, as amended by this act, if the commission determines,  
550 following a written complaint filed with the commission pursuant to  
551 said section 9-7b, that the registrars' action was without good cause  
552 and constitutes a wilful violation of a prior order of the commission.

553 Sec. 8. Section 9-358 of the general statutes is repealed and the  
554 following is substituted in lieu thereof (*Effective July 1, 2005*):

555 Any person who, upon oath or affirmation, legally administered,  
556 wilfully and corruptly testifies or affirms, before any registrar of  
557 voters, [or the] moderator of any election, [or] primary or referendum,  
558 any board for admission of electors or the State Elections Enforcement  
559 Commission, falsely, to any material fact concerning the identity, age,  
560 residence or other qualifications of any person whose right to be  
561 registered or admitted as an elector or to vote at any election, [is before  
562 such registrar, moderator or board] primary or referendum for the  
563 purpose of being passed upon and decided, shall be [imprisoned not

564 more than two years] guilty of a class D felony and shall be  
565 disfranchised.

566 Sec. 9. Section 9-360 of the general statutes is repealed and the  
567 following is substituted in lieu thereof (*Effective July 1, 2005*):

568 Any person not legally qualified who fraudulently votes in any  
569 town meeting, primary, [or] election or referendum in which [he] the  
570 person is not qualified to vote, and any legally qualified person who,  
571 at such meeting, primary, [or] election or referendum, fraudulently  
572 votes more than once at the same meeting, primary, [or] election or  
573 referendum, shall be fined not less than three hundred dollars nor  
574 more than five hundred dollars and shall be imprisoned not less than  
575 one year nor more than two years and shall be disfranchised. Any  
576 person who votes or attempts to vote at any election, primary,  
577 referendum or town meeting by assuming the name of another [who is  
578 registered or enrolled, as the case may be, shall be fined five hundred  
579 dollars and be imprisoned one year] legally qualified person shall be  
580 guilty of a class D felony and shall be disfranchised.

581 Sec. 10. Section 9-361 of the general statutes is repealed and the  
582 following is substituted in lieu thereof (*Effective July 1, 2005*):

583 The following persons shall be guilty of primary or enrollment  
584 violations: (1) Any person unlawfully voting or participating or  
585 attempting to vote or participate in any primary in which he is not  
586 eligible to vote or participate; (2) in towns divided into voting districts,  
587 any elector who registers or votes at any primary in a voting district  
588 other than the district in which such elector is legally entitled to vote at  
589 the time of such primary; (3) any elector who signs the name of  
590 another to a written application to register, without the knowledge and  
591 consent of the person whose name is signed thereto, or who falsely  
592 represents the contents of any written or printed form of application  
593 for enrollment with intent to secure the application of an elector for  
594 enrollment upon a list other than that of his true political preference;  
595 (4) any registrar or deputy registrar of voters who fails to hold sessions

596 as provided in sections 9-51 and 9-53 or who fails to register an elector  
597 upon the oral or written application for enrollment of such elector,  
598 except as provided by law, or who fails to erase an elector's name as  
599 provided in section 9-59 or who registers any elector upon an  
600 enrollment list other than that declared by such elector in his  
601 application as his political preference, or who removes or erases the  
602 name of any elector from any enrollment list except as provided by  
603 law; (5) any person who fails to properly serve any notice or citation  
604 required by sections 9-60 and 9-61 when directed so to do by any  
605 registrar or deputy registrar, or who makes any false return as to any  
606 such notice or citation; and (6) any moderator of a primary of the  
607 enrolled electors of a specified party, such primary being legally called  
608 for the nomination of candidates for any public elective office, who  
609 fails to comply with the requirements of chapter 153. The penalty for  
610 any such violation shall be a fine of not more than one hundred dollars  
611 or imprisonment of not more than sixty days, or both, except that any  
612 person found to have violated subdivision (1) or (2) of this section shall  
613 be guilty of a class D felony and shall be disfranchised.

614 Sec. 11. Section 9-333y of the general statutes is repealed and the  
615 following is substituted in lieu thereof (*Effective July 1, 2005*):

616 (a) Any person who knowingly and wilfully violates any provision  
617 of this chapter shall be fined not more than five thousand dollars or  
618 imprisoned not more than five years or both. The Secretary of the State  
619 or the town clerk shall notify the State Elections Enforcement  
620 Commission of any such violation of which said secretary or such  
621 town clerk may have knowledge. Any such fine for a violation of any  
622 provision of this chapter applying to the office of the Treasurer shall be  
623 deposited on a pro rata basis in any trust funds, as defined in section 3-  
624 13c, affected by such violation.

625 (b) (1) If any campaign treasurer or lobbyist fails to file the  
626 statements required by section 9-333j or subsection (g) of section 9-333l,  
627 [as the case may be] or if any candidate fails to file either (A) a  
628 statement for the formation of a candidate committee as required by

629 section 9-333f, or (B) a certification pursuant to section 9-333e that the  
630 candidate is exempt from forming a candidate committee as required  
631 by section 9-333f, within the time required, [he] the campaign  
632 treasurer, lobbyist or candidate, as the case may be, shall pay a late  
633 filing fee of [fifty-five] one hundred dollars.

634 (2) In the case of [a] any such statement or certification that is  
635 required to be filed with the Secretary of the State, the secretary shall,  
636 within ten days after the filing deadline is, or should be, known to  
637 have passed, notify by certified mail, return receipt requested, the  
638 person required to file that, if such statement or certification is not filed  
639 within twenty-one days after [the deadline] such notice, the person is  
640 in violation of [said] section 9-333e, 9-333f or 9-333j or subsection (g) of  
641 section 9-333l. If the person does not file such statement or certification  
642 within twenty-one days after the [deadline] the secretary mails such  
643 notice, the secretary shall notify the State Elections Enforcement  
644 Commission within twenty-eight days after [the deadline] such notice.

645 (3) In the case of [a] any such statement or certification that is  
646 required to be filed with a town clerk, the town clerk shall forthwith  
647 after the filing deadline is, or should be, known to have passed, notify  
648 by certified mail, return receipt requested, the person required to file  
649 that, if such statement or certification is not filed within seven days  
650 after [receiving] the town clerk mails such notice, the town clerk shall  
651 notify the State Elections Enforcement Commission that the person is  
652 in violation of [said] section 9-333e, 9-333f or 9-333j or subsection (g) of  
653 section 9-333l.

654 (4) The penalty for any violation of [said] section 9-333e, 9-333f or 9-  
655 333j or subsection (g) of section 9-333l for which notice is provided to  
656 the State Elections Enforcement Commission by the Secretary of the  
657 State or the town clerk shall be a fine of not less than two hundred  
658 dollars nor more than [one] two thousand dollars or imprisonment for  
659 not more than one year, or both.

660 Sec. 12. Subsection (b) of section 12-15 of the general statutes is

661 repealed and the following is substituted in lieu thereof (*Effective July*  
662 *1, 2005*):

663 (b) The commissioner may disclose (1) returns or return information  
664 to (A) an authorized representative of another state agency or office,  
665 upon written request by the head of such agency or office, when  
666 required in the course of duty or when there is reasonable cause to  
667 believe that any state law is being violated, or (B) an authorized  
668 representative of an agency or office of the United States, upon written  
669 request by the head of such agency or office, when required in the  
670 course of duty or when there is reasonable cause to believe that any  
671 federal law is being violated, provided no such agency or office shall  
672 disclose such returns or return information, other than in a judicial or  
673 administrative proceeding to which such agency or office is a party  
674 pertaining to the enforcement of state or federal law, as the case may  
675 be, in a form which can be associated with, or otherwise identify,  
676 directly or indirectly, a particular taxpayer except that the names and  
677 addresses of jurors or potential jurors and the fact that the names were  
678 derived from the list of taxpayers pursuant to chapter 884 may be  
679 disclosed by the judicial branch; (2) returns or return information to  
680 the Auditors of Public Accounts, when required in the course of duty  
681 under chapter 23; (3) returns or return information to tax officers of  
682 another state or of a Canadian province or of a political subdivision of  
683 such other state or province or of the District of Columbia or to any  
684 officer of the United States Treasury Department or the United States  
685 Department of Health and Human Services, authorized for such  
686 purpose in accordance with an agreement between this state and such  
687 other state, province, political subdivision, the District of Columbia or  
688 department, respectively, when required in the administration of taxes  
689 imposed under the laws of such other state, province, political  
690 subdivision, the District of Columbia or the United States, respectively,  
691 and when a reciprocal arrangement exists; (4) returns or return  
692 information in any action, case or proceeding in any court of  
693 competent jurisdiction, when the commissioner or any other state  
694 department or agency is a party, and when such information is directly

involved in such action, case or proceeding; (5) returns or return information to a taxpayer or its authorized representative, upon written request for a return filed by or return information on such taxpayer; (6) returns or return information to a successor, receiver, trustee, executor, administrator, assignee, guardian or guarantor of a taxpayer, when such person establishes, to the satisfaction of the commissioner, that such person has a material interest which will be affected by information contained in such returns or return information; (7) information to the assessor or an authorized representative of the chief executive officer of a Connecticut municipality, when the information disclosed is limited to (A) a list of real or personal property that is or may be subject to property taxes in such municipality, or (B) a list containing the name of each person who is issued any license, permit or certificate which is required, under the provisions of this title, to be conspicuously displayed and whose address is in such municipality; (8) real estate conveyance tax return information or controlling interest transfer tax return information to the town clerk or an authorized representative of the chief executive officer of a Connecticut municipality to which the information relates; (9) estate tax returns and estate tax return information to the Probate Court Administrator or to the court of probate for the district within which a decedent resided at the date of the decedent's death, or within which the commissioner contends that a decedent resided at the date of the decedent's death or, if a decedent died a nonresident of this state, in the court of probate for the district within which real estate or tangible personal property of the decedent is situated, or within which the commissioner contends that real estate or tangible personal property of the decedent is situated; (10) returns or return information to the Secretary of the Office of Policy and Management for purposes of subsection (b) of section 12-7a; (11) return information to the Jury Administrator, when the information disclosed is limited to the names, addresses, federal Social Security numbers and dates of birth, if available, of residents of this state, as defined in subdivision (1) of subsection (a) of section 12-701; (12) pursuant to regulations adopted by the commissioner, returns or return information to any person to

730 the extent necessary in connection with the processing, storage,  
731 transmission or reproduction of such returns or return information,  
732 and the programming, maintenance, repair, testing or procurement of  
733 equipment, or the providing of other services, for purposes of tax  
734 administration; (13) without written request and unless the  
735 commissioner determines that disclosure would identify a confidential  
736 informant or seriously impair a civil or criminal tax investigation,  
737 returns and return information which may constitute evidence of a  
738 violation of any civil or criminal law of this state or the United States to  
739 the extent necessary to apprise the head of such agency or office  
740 charged with the responsibility of enforcing such law, in which event  
741 the head of such agency or office may disclose such return information  
742 to officers and employees of such agency or office to the extent  
743 necessary to enforce such law; (14) names and addresses of operators,  
744 as defined in section 12-407, to tourism districts, as defined in section  
745 10-397; (15) names of each licensed dealer, as defined in section 12-285,  
746 and the location of the premises covered by the dealer's license; [and]  
747 (16) to a tobacco product manufacturer that places funds into escrow  
748 pursuant to the provisions of subsection (a) of section 4-28i, return  
749 information of a distributor licensed under the provisions of chapter  
750 214 or chapter 214a, provided the information disclosed is limited to  
751 information relating to such manufacturer's sales to consumers within  
752 this state, whether directly or through a distributor, dealer or similar  
753 intermediary or intermediaries, of cigarettes, as defined in section 4-  
754 28h, and further provided there is reasonable cause to believe that such  
755 manufacturer is not in compliance with section 4-28i; and (17) returns  
756 or return information to the State Elections Enforcement Commission,  
757 upon written request by said commission, when necessary to  
758 investigate suspected violations of state election laws.

759 Sec. 13. (NEW) (*Effective from passage*) (a) There is established the  
760 Voting Technology Standards Board. The board shall consist of:

761 (1) The Secretary of the State, or the Secretary's designee;

762 (2) The executive director of the State Elections Enforcement



763 Commission, or the executive director's designee;

764 (3) The chairpersons and ranking members of the joint standing  
765 committee of the General Assembly having cognizance of matters  
766 relating to elections;

767 (4) Two persons who are members of different political parties,  
768 appointed by the president of the Registrars of Voters Association of  
769 Connecticut;

770 (5) Two persons who are members of different political parties,  
771 appointed by the president of the Connecticut Town Clerks  
772 Association, Inc.;

773 (6) A member of the faculty or an employee of The University of  
774 Connecticut, having expertise in computer architecture, appointed by  
775 the Governor; and

776 (7) One person representing a nonpartisan organization for  
777 governmental accountability, appointed by the Governor.

778 (b) All appointments to the Voting Technology Standards Board  
779 shall be made not later than thirty days after the effective date of this  
780 section. Any vacancy shall be filled by the appointing authority. The  
781 board shall elect a chairperson and a vice-chairperson from among its  
782 members.

783 (c) The Voting Technology Standards Board shall adopt standards  
784 for electronic voting technology that will ensure the integrity of the  
785 state's voting systems. Said standards shall address: (1) Accuracy; (2)  
786 protecting voter anonymity; (3) maintaining secret ballots, except  
787 where a voter requests assistance; (4) preventing a voter from voting  
788 more than once on any ballot question and from casting more votes for  
789 any office than there are persons to be elected to such office; (5) the  
790 equivalent of write-in votes; (6) reliable backup power sources so that  
791 a system is not subject to power failures; (7) handicapped accessibility;  
792 (8) simple ballot layout that will not be confusing to voters; (9) ease of

793 navigation of multiple-screen ballots; (10) enabling voters to check and  
794 correct votes; (11) creating voter-verified paper trails; (12) adequate  
795 security precautions if individual voting systems are to be networked  
796 or if voting results will be communicated via the Internet; (13) the need  
797 for encryption; (14) adequate protection from computer viruses; and  
798 (15) any other standards necessary to protect the integrity of the voting  
799 systems.

800 (d) Not later than January 16, 2006, the Voting Technology  
801 Standards Board shall submit a report containing the standards for  
802 electronic voting technology adopted under subsection (c) of this  
803 section to the joint standing committee of the General Assembly  
804 having cognizance of matters relating to elections, the Governor and  
805 the Secretary of the State, in accordance with the provisions of section  
806 11-4a of the general statutes. The board shall terminate on the date that  
807 it submits such standards.

808 Sec. 14. Section 9-241 of the general statutes is repealed and the  
809 following is substituted in lieu thereof (*Effective October 1, 2005*):

810 Any person owning or holding an interest in any voting machine, as  
811 defined in subsection (w) of section 9-1, may apply to the Secretary of  
812 the State to examine such machine and report on its accuracy and  
813 efficiency. The Secretary of the State shall examine the machine and  
814 determine whether, in the Secretary's opinion, the kind of machine so  
815 examined (1) meets the requirements of section 9-242, [and] (2) can be  
816 used at elections, primaries and referenda held pursuant to this title,  
817 and (3) in the case of an electronic voting machine examined by the  
818 Secretary after the Voting Technology Standards Board submits the  
819 report required under section 13 of this act, complies with the  
820 standards adopted by said board under section 13 of this act. If the  
821 Secretary of the State determines that the machine can be so used, such  
822 machine may be adopted for such use. No machine not so approved  
823 shall be so used. Each application shall be accompanied by a fee of one  
824 hundred dollars and the Secretary of the State shall not approve any  
825 machine until such fee and the expenses incurred by the Secretary in

826 making the examination have been paid by the person making such  
827 application. Any voting machine company that has had its voting  
828 machine approved and that subsequently alters such machine in any  
829 way shall provide the Secretary of the State with notice of such  
830 alterations, including a description thereof and a statement of the  
831 purpose of such alterations. If any such alterations appear to materially  
832 affect the accuracy, appearance or efficiency of the machine, or modify  
833 the machine so that it can no longer be used at elections, primaries or  
834 referenda held pursuant to this title, at the discretion of the Secretary  
835 of the State, the company shall submit such alterations for inspection  
836 and approval, at its own expense, before such altered machines may be  
837 used. The Secretary of the State may adopt regulations, in accordance  
838 with the provisions of chapter 54, concerning examination and  
839 approval of voting machines under this section. No voting machine  
840 that records votes by means of holes punched in designated voting  
841 response locations may be approved or used at any election, primary  
842 or referendum held pursuant to this title.

843 Sec. 15. Subsection (a) of section 9-20 of the general statutes is  
844 repealed and the following is substituted in lieu thereof (*Effective*  
845 *January 1, 2006*):

846 (a) Each person who applies for admission as an elector in person to  
847 an admitting official shall, upon a form prescribed by the Secretary of  
848 the State and signed by the applicant, state under penalties of perjury,  
849 his name, bona fide residence by street and number, date of birth,  
850 whether he is a United States citizen, whether his privileges as an  
851 elector are forfeited by reason of conviction of crime, and whether he  
852 has previously been admitted as an elector in any town in this or any  
853 other state. Each such applicant shall present his birth certificate,  
854 drivers' license or Social Security card to the admitting official for  
855 inspection at the time of application. Notwithstanding the provisions  
856 of any special act or charter to the contrary, the application form shall  
857 also, in a manner prescribed by the Secretary of the State, provide for  
858 application for enrollment in any political party, including, on any  
859 such form printed on or after the effective date of this section, a list of

860 the names of the major parties, as defined in section 9-372, as options  
861 for the applicant. The form shall indicate that such enrollment is not  
862 mandatory.

863 Sec. 16. Section 9-23h of the general statutes is repealed and the  
864 following is substituted in lieu thereof (*Effective January 1, 2006*):

865 The application provided for in section 9-23g shall provide spaces  
866 for the following information for each applicant: (1) Name, (2) bona  
867 fide residence, including street number, street address, apartment  
868 number if applicable, town and zip code, (3) telephone number, (4)  
869 date of birth, (5) whether the applicant is registered as an elector in any  
870 other town in the state of Connecticut or in any other state, and if so,  
871 the applicant's last previous voting residence, (6) whether the  
872 applicant is a United States citizen, (7) whether the applicant will be  
873 eighteen years of age on or before election day, (8) party affiliation, if  
874 any, (9) the applicant's signature and date of signature, and (10) the  
875 applicant's Connecticut motor vehicle operator's license number or, if  
876 none, the last four digits of the applicant's Social Security number. The  
877 spaces for the applicant's telephone number and party affiliation shall  
878 indicate that such information does not have to be provided. On any  
879 such application printed on or after the effective date of this section,  
880 the space for the applicant's party affiliation shall also include a list of  
881 the names of the major parties, as defined in section 9-372, as options  
882 for the applicant. The spaces regarding United States citizenship and  
883 whether the applicant will be eighteen years of age on or before  
884 election day shall indicate that if the applicant answers "No" to either  
885 question, the applicant may not complete the voter registration form.  
886 No Social Security number on any such form filed prior to January 1,  
887 2000, may be disclosed to the public or to any governmental agency.  
888 The application shall contain a notice that if the applicant does not  
889 receive a notice of acceptance or rejection of the application from the  
890 office of the registrars of voters for the municipality in which the  
891 applicant resides, the applicant should contact said office. The  
892 application shall also contain any other information, questions or  
893 instructions prescribed by the Secretary of the State.

894 Sec. 17. Subsection (c) of section 9-391 of the general statutes is  
895 repealed and the following is substituted in lieu thereof (*Effective*  
896 *October 1, 2005*):

897 (c) Each endorsement of a candidate to run in a primary for the  
898 nomination of candidates for a municipal office to be voted upon at a  
899 state election shall be made under the provisions of section 9-390 not  
900 earlier than the eighty-fourth day or later than the seventy-seventh day  
901 preceding the day of such primary. Any certification to be filed under  
902 this [section] subsection shall be received by the Secretary of the State,  
903 in the case of a candidate for the office of state senator or state  
904 representative, or the town clerk, in the case of a candidate for any  
905 other municipal office to be voted upon at a state election, not later  
906 than four o'clock p.m. on the fourteenth day after the close of the town  
907 committee meeting, caucus or convention, as the case may be. If such a  
908 certificate of a party's endorsement is not received by the Secretary of  
909 the State or the town clerk, as the case may be, by such time, such  
910 party, for the purposes of sections 9-417 and 9-418, as amended by this  
911 act, shall be deemed to have neither made nor certified any  
912 endorsement of any candidate for such office. The candidate so  
913 endorsed for a municipal office to be voted upon at a state election,  
914 other than the office of justice of the peace, shall file with the Secretary  
915 of the State or the town clerk, as the case may be, a certificate, signed  
916 by that candidate, stating that such candidate was so endorsed, the  
917 candidate's name as the candidate authorizes it to appear on the ballot,  
918 the candidate's full street address and the title and district of the office  
919 for which the candidate was endorsed. Such certificate shall be attested  
920 by the chairman or presiding officer and the secretary of the town  
921 committee, caucus or convention which made such endorsement. The  
922 endorsement of candidates for the office of justice of the peace shall be  
923 certified to the clerk of the municipality by the chairman or presiding  
924 officer and the secretary of the town committee, caucus or convention,  
925 and shall contain the name and street address of each person so  
926 endorsed and the title of the office for which each such person is  
927 endorsed.

928 Sec. 18. Section 9-418 of the general statutes is repealed and the  
929 following is substituted in lieu thereof (*Effective October 1, 2005*):

930 (a) If within the time specified in section 9-391, as amended by this  
931 act, a party has failed, with respect to the office of state senator or state  
932 representative, to certify to the Secretary of the State, or with respect to  
933 any other municipal office to be filled, to certify to the clerk of the  
934 municipality, the name of any person as a party-endorsed candidate,  
935 and if within the time specified in section 9-405, a candidacy for  
936 nomination to such office is filed in conformity with the provisions of  
937 sections 9-400 to 9-414, inclusive, by not more than one person, no  
938 primary shall be held by such party for such office and the person  
939 filing such candidacy shall be deemed to have been lawfully chosen as  
940 the nominee of such party for such office.

941 (b) If within the time specified in section 9-391, a party has failed,  
942 with respect to any municipal office to be filled by two or more  
943 persons, to certify to the clerk of the municipality names of persons as  
944 party-endorsed candidates equal in number to the number of persons  
945 to be nominated to such office, and if within the time specified in  
946 section 9-405, a candidacy or candidacies for nomination to such office  
947 are filed in conformity with the provisions of sections 9-400 to 9-414,  
948 inclusive, by a number of persons not more than the number for which  
949 the party has failed to certify names, no primary shall be held by such  
950 party for such office, and each of the party-endorsed candidates and  
951 each of the persons filing such candidacies shall be deemed to have  
952 been lawfully chosen as the nominees of such party for such office.

953 Sec. 19. (NEW) (*Effective July 1, 2005*) A registrar of voters who  
954 provides an enrollment list of a political party in a municipality,  
955 political subdivision or district to a candidate who will be circulating a  
956 primary petition for nomination by such party of such candidate to a  
957 state, district or municipal office, in accordance with sections 9-404a  
958 and 9-404b of the general statutes, or sections 9-409 and 9-410 of the  
959 general statutes, shall certify on the first page of such enrollment list  
960 that such list is the most recent and, to the best knowledge of the

961 registrar, accurate enrollment list of such party in such municipality,  
962 political subdivision or district.

963 Sec. 20. Section 9-192a of the general statutes is repealed and the  
964 following is substituted in lieu thereof (*Effective July 1, 2005*):

965 (a) There is created a committee for the purpose of establishing  
966 programs and procedures for training, examining and certifying  
967 registrars of voters, deputy registrars of voters and permanent  
968 assistants, as described in section 9-192. The committee shall consist of  
969 six members, one of whom shall be from the office of the Secretary of  
970 the State, one of whom shall be from the State Elections Enforcement  
971 Commission, and four of whom shall be registrars of voters. The  
972 Secretary of the State shall appoint the registrars of voters, in  
973 consultation with the Registrars of Voters Association of Connecticut,  
974 or its successor organization. The committee members shall serve  
975 without pay. The Secretary of the State shall determine the length of  
976 the terms of the initial members, in accordance with the following:  
977 Two of such members shall serve for a one-year term; two of such  
978 members shall serve for a two-year term; and two of such members  
979 shall serve for a four-year term. Thereafter, all members shall serve for  
980 four-year terms. The committee shall select a chairperson, who shall be  
981 one of the registrars who is a member of the committee.

982 (b) The committee shall adopt criteria for the training, examination  
983 and certification requirements of registrars, deputies and permanent  
984 assistants. In the adoption of said criteria, the committee (1) shall  
985 consider whether the prescribed training leading to certification may,  
986 in part, be satisfied through participation in the required two  
987 conferences a year called by the Secretary of the State, pursuant to  
988 section 9-6, for purposes of discussing the election laws, procedures or  
989 matters related to election laws and procedures and (2) may  
990 recommend programs at one or more institutions of higher education  
991 that satisfy said criteria.

992 [(b)] Any registrar of voters, deputy or permanent assistant may

993 participate in the course of training prescribed by the committee and,  
994 upon completing such training and successfully completing any  
995 examination or examinations prescribed by the committee, shall be  
996 recommended by the committee, to the Secretary of the State as a  
997 candidate for certification as a certified Connecticut registrar of voters.  
998 The Secretary of the State shall certify any such qualified,  
999 recommended candidate as a certified Connecticut registrar of voters.  
1000 The Secretary of the State may rescind any such certificate only upon a  
1001 finding, by a majority of the committee, of sufficient cause as defined  
1002 by the criteria adopted pursuant to this subsection. [(a) of this section.]

1003 [(c)] No provision of this [section] subsection shall require any  
1004 registrar of voters, deputy or permanent assistant to be a certified  
1005 registrar of voters.

1006 (c) The committee shall also (1) develop a training program in  
1007 election procedures for poll workers, and (2) develop an election law  
1008 and procedures training program and guide for registrars, deputy  
1009 registrars and assistant registrars. The training program developed  
1010 under subdivision (2) of this section shall provide for training to be  
1011 conducted by trained registrars or former registrars hired for such  
1012 purpose by the Secretary of the State. The committee shall submit such  
1013 training programs and training guide to the Secretary of the State, who  
1014 shall approve or modify the programs and guide.

1015 Sec. 21. Section 9-249 of the general statutes is repealed and the  
1016 following is substituted in lieu thereof (*Effective July 1, 2005*):

1017 (a) Before each election, the municipal clerk, registrars of voters,  
1018 certified moderator and certified mechanic shall instruct the election  
1019 officials. Any provision of the general statutes or of any special act to  
1020 the contrary notwithstanding, election officials shall be appointed at  
1021 least twenty days before the election except as provided in section 9-  
1022 229. The clerk, registrars, certified moderator and certified mechanic  
1023 shall instruct each election official who is to serve in a voting district in  
1024 which a voting machine is to be used in the use of the machine and his



1025 duties in connection therewith, and for the purpose of giving such  
1026 instruction, such instructors shall call such meeting or meetings of the  
1027 election officials as are necessary. Such instructors shall, without delay,  
1028 file a report in the office of the municipal clerk and with the Secretary  
1029 of the State, (1) stating that they have instructed the election officials  
1030 named in the report and the time and place where such instruction  
1031 was given, and (2) containing a signed statement from each such  
1032 election official acknowledging that the official has received such  
1033 instruction.

1034 (b) The election officials of such voting districts shall attend [such]  
1035 the elections training program developed under subdivision (1) of  
1036 subsection (c) of section 9-192a, as amended by this act, and any other  
1037 meeting or meetings as are called for the purpose of receiving such  
1038 instructions concerning their duties as are necessary for the proper  
1039 conduct of the election.

1040 (c) Each election official who qualifies for and serves in the election  
1041 shall be paid not less than one dollar for the time spent in receiving  
1042 such instruction, in the same manner and at the same time as [he] the  
1043 official is paid for [his] the official's services on election day.

1044 (d) No election official shall serve in any election [at which a voting  
1045 machine is used unless he] unless the official has received such  
1046 instruction and is fully qualified to perform [his] the official's duties in  
1047 connection with the [machine] election, but this shall not prevent the  
1048 appointment of an election official to fill a vacancy in an emergency.

1049 Sec. 22. (NEW) (*Effective July 1, 2005*) Each registrar of voters shall  
1050 annually designate either said registrar, the deputy registrar of voters  
1051 or an assistant registrar of voters to receive at least ten hours of  
1052 instruction under the elections training program developed under  
1053 subdivision (2) of subsection (c) of section 9-192a of the general  
1054 statutes, as amended by this act.

1055 Sec. 23. (NEW) (*Effective July 1, 2005*) The Secretary of the State shall  
1056 establish an elections training unit to coordinate all training for

1057 registrars of voters, deputy registrars of voters, permanent assistant  
1058 registrars of voters as described in section 9-192 of the general statutes  
1059 and poll workers. Such unit shall employ at least one person having  
1060 field experience in the conduct of elections.

1061 Sec. 24. Subsection (a) of section 9-333j of the general statutes is  
1062 repealed and the following is substituted in lieu thereof (*Effective July*  
1063 *1, 2005*):

1064 (a) (1) Each campaign treasurer of a committee, other than a state  
1065 central committee, shall file a statement, sworn under penalty of false  
1066 statement with the proper authority in accordance with the provisions  
1067 of section 9-333e, (A) on the [seventh] tenth calendar day in the months  
1068 of January, April, July and October, provided, if such [seventh] tenth  
1069 calendar day is a Saturday, Sunday or legal holiday, the statement  
1070 shall be filed on the next business day, (B) on the seventh day  
1071 preceding each regular state election, except that (i) in the case of a  
1072 candidate or exploratory committee established for an office to be  
1073 elected at a municipal election, the statement shall be filed on the  
1074 seventh day preceding a regular municipal election in lieu of such  
1075 date, and (ii) in the case of a town committee, the statement shall be  
1076 filed on the seventh day preceding each municipal election in addition  
1077 to such date, and (C) if the committee has made or received a  
1078 contribution or expenditure in connection with any other election, a  
1079 primary or a referendum, on the seventh day preceding the election,  
1080 primary or referendum. The statement shall be complete as of the last  
1081 day of the month preceding the month in which the statement is  
1082 required to be filed, except that for the statement required to be filed  
1083 on the seventh day preceding the election, primary or referendum, the  
1084 statement shall be complete as of seven days immediately preceding  
1085 the required filing day. The statement shall cover a period to begin  
1086 with the first day not included in the last filed statement. In the case of  
1087 a candidate committee, the statement required to be filed in January  
1088 shall be in lieu of the statement formerly required to be filed within  
1089 forty-five days following an election.

1090 (2) Each campaign treasurer of a candidate committee, within thirty  
1091 days following any primary, and each campaign treasurer of a political  
1092 committee formed for a single primary, election or referendum, within  
1093 forty-five days after any election or referendum not held in November,  
1094 shall file statements in the same manner as is required of them under  
1095 subdivision (1) of this subsection. If the campaign treasurer of a  
1096 candidate committee established by a candidate, who is unsuccessful  
1097 in the primary or has terminated his candidacy prior to the primary,  
1098 distributes all surplus funds within thirty days following the  
1099 scheduled primary and discloses the distribution on the postprimary  
1100 statement, such campaign treasurer shall not be required to file any  
1101 subsequent statement unless the committee has a deficit, in which case  
1102 he shall file any required statements in accordance with the provisions  
1103 of subdivision (3) of subsection (e) of this section.

1104 (3) In the case of state central committees, (A) on [each January  
1105 thirtieth, April tenth and July tenth] the tenth calendar day in the  
1106 months of January, April and July, provided, if such tenth calendar  
1107 day is a Saturday, Sunday or legal holiday, on the next business day,  
1108 and (B) on the twelfth day preceding any election, the campaign  
1109 treasurer of each such committee shall file with the proper authority, a  
1110 statement, sworn under penalty of false statement, complete as of the  
1111 last day of the month immediately preceding the month in which such  
1112 statement is to be filed in the case of statements required to be filed in  
1113 January, April and July, and complete as of the nineteenth day  
1114 preceding an election, in the case of the statement required to be filed  
1115 on the twelfth day preceding an election, and in each case covering a  
1116 period to begin with the first day not included in the last filed  
1117 statement.

1118 Sec. 25. Section 9-46a of the general statutes is repealed and the  
1119 following is substituted in lieu thereof (*Effective July 1, 2005*):

1120 (a) A person who has been convicted of a felony and committed to  
1121 confinement in a federal or other state correctional institution or  
1122 facility or community residence shall have such person's electoral

1123 privileges restored upon submission of written or other satisfactory  
1124 proof to the admitting official before whom such person presents his or  
1125 her qualifications to be admitted as an elector, that all fines in  
1126 conjunction with the conviction have been paid and that such person  
1127 has been discharged from confinement, and, if applicable, parole.

1128 (b) Upon the release from confinement in a correctional institution  
1129 or facility or a community residence of a person who has been  
1130 convicted of a felony and committed to the custody of the  
1131 Commissioner of Correction and, if applicable, the discharge of such  
1132 person from parole, (1) the person shall have the right to become an  
1133 elector, (2) the Commissioner of Correction shall give the person a  
1134 document certifying that the person has been released from such  
1135 confinement and, if applicable, has been discharged from parole, (3) if  
1136 the person was an elector at the time of such felony conviction and,  
1137 after such release and any such discharge, is residing in the same  
1138 municipality in which the person resided at the time of such felony  
1139 conviction, the person's electoral privileges shall be restored upon  
1140 submitting to an admitting official such document or other satisfactory  
1141 proof that the person has been released from such confinement and, if  
1142 applicable, discharged from parole, and (4) if the person was an elector  
1143 at the time of such felony conviction and, after such release and any  
1144 such discharge, is residing in a different municipality or if the person  
1145 was not an elector at the time of such felony conviction, the person's  
1146 electoral privileges shall be restored or granted upon submitting to an  
1147 admitting official (A) satisfactory proof of the person's qualifications to  
1148 be admitted as an elector, and (B) such document or other satisfactory  
1149 proof that the person has been released from confinement and, if  
1150 applicable, discharged from parole. The provisions of subdivisions (1)  
1151 to (4), inclusive, of this subsection shall not apply to any person  
1152 convicted of a felony for a violation of any provision of this title until  
1153 such person has been discharged from any parole or probation for  
1154 such felony. No admitting official shall require that a person under this  
1155 subsection submit a document from the Commissioner of Correction,  
1156 as described in subdivision (2) of this subsection, in order to prove that

1157 the person has been discharged from confinement and, if applicable,  
1158 discharged from parole.

1159 (c) The registrars of voters of the municipality in which a person is  
1160 admitted as an elector pursuant to subsection (a) or (b) of this section,  
1161 within thirty days after the date on which such person is admitted,  
1162 shall notify the registrars of voters of the municipality wherein such  
1163 person resided at the time of such person's conviction that such  
1164 person's electoral rights have been so restored.

1165 (d) The Commissioner of Correction shall establish procedures to  
1166 inform those persons who have been convicted of a felony and  
1167 committed to the custody of said commissioner for confinement in a  
1168 correctional institution or facility or a community residence, and are  
1169 eligible to have their electoral privileges restored or granted pursuant  
1170 to subsection (b) of this section, of the right and procedures to have  
1171 such privileges restored. The Office of Adult Probation shall, within  
1172 available appropriations, inform such persons who are on probation  
1173 on January 1, 2002, of their right to become electors and procedures to  
1174 have their electoral privileges restored, which shall be in accordance  
1175 with subsections (b) and (c) of this section.

1176 (e) The Commissioner of Correction shall, on or before the fifteenth  
1177 day of each month, transmit to the Secretary of the State a list of all  
1178 persons convicted of a felony and committed to the custody of said  
1179 commissioner and who, during the preceding calendar month, have  
1180 been released from confinement in a correctional institution or facility  
1181 or a community residence and, if applicable, discharged from parole.  
1182 Such lists shall include the names, birth dates and addresses of such  
1183 persons, with the dates of their convictions and the crimes of which  
1184 such persons have been convicted. The Secretary of the State shall  
1185 transmit such lists to the registrars of the municipalities in which such  
1186 convicted persons resided at the time of their convictions and to the  
1187 registrars of any municipalities where the secretary believes such  
1188 persons may be electors.

1189 Sec. 26. Subsection (y) of section 9-1 of the general statutes is  
 1190 repealed and the following is substituted in lieu thereof (*Effective*  
 1191 *January 1, 2006*):

1192 (y) "The last session for admission of electors prior to an election"  
 1193 means the day which is the [fourteenth] seventh day prior to an  
 1194 election.

1195 Sec. 27. Subsection (a) of section 9-17 of the general statutes is  
 1196 repealed and the following is substituted in lieu thereof (*Effective*  
 1197 *January 1, 2006*):

1198 (a) For the purposes of this section, "primary day" means the day  
 1199 that a primary for state, district and municipal offices is being held in  
 1200 accordance with section 9-423, and "election day" means the day of  
 1201 each regular election. (1) The registrars of voters of each town shall  
 1202 hold sessions to examine the qualifications of electors and admit those  
 1203 found qualified on the dates and at the times set forth in this section.  
 1204 Such sessions shall be held on the following days during the hours  
 1205 indicated, except as provided in subdivision (2) of this subsection:

| T1 | Day                             | Hours                   |
|----|---------------------------------|-------------------------|
| T2 | Fourteenth day                  |                         |
| T3 | before primary day .....        | any two hours between   |
| T4 |                                 | 5:00 p.m. and 9:00 p.m. |
| T5 | Saturday of third week          |                         |
| T6 | before election day .....       | 10:00 a.m. to 2:00 p.m. |
| T7 | [Fourteenth] <u>Seventh</u> day |                         |
| T8 | before election day .....       | 9:00 a.m. to 8:00 p.m.  |

1206 The session of the registrars of voters on the [fourteenth] seventh  
 1207 day before election day shall be the last regular session for the  
 1208 admission of electors prior to an election, as defined in subsection (y)  
 1209 of section 9-1, as amended by this act. (2) No town having a population

1210 of less than twenty-five thousand persons shall be required to hold  
1211 sessions for admission of electors on the fourteenth day before primary  
1212 day.

1213 Sec. 28. Section 9-38 of the general statutes is repealed and the  
1214 following is substituted in lieu thereof (*Effective January 1, 2006*):

1215 The registrars of all towns shall, on the second Friday preceding a  
1216 regular election, deposit in the town clerk's office the final registry list  
1217 arranged as provided in section 9-35 and certified by them to be  
1218 correct, and shall retain a sufficient number of copies to be used by  
1219 them at such election for the purpose of checking the names of those  
1220 who vote. They shall place on such final list, in the order provided in  
1221 section 9-35, the names of all persons who have been admitted as  
1222 electors. In each municipality said registrars shall also cause to be  
1223 prepared and printed and deposited in the town clerk's office a  
1224 supplementary or updated list containing the names and addresses of  
1225 electors to be transferred, restored or added to such list prior to the  
1226 [sixth day] fourth before such election, provided in municipalities  
1227 having a population of less than twenty-five thousand, such additional  
1228 names may be inserted in writing in such final list. Such final registry  
1229 list and supplementary or updated list deposited in the town clerk's  
1230 office shall be on file in such office for public inspection for a period of  
1231 two years, and any elector may make copies thereof.

1232 Sec. 29. Subdivision (5) of subsection (d) of section 9-242 of the  
1233 general statutes, as amended by section 7 of substitute senate bill 55 of  
1234 the current session, as amended, is repealed and the following is  
1235 substituted in lieu thereof (*Effective from passage*):

1236 (5) (A) Be accessible to blind or visually impaired persons by  
1237 providing each elector, if desired by the elector, an audio description  
1238 of the contemporaneously produced individual, permanent, paper  
1239 record containing all of the elector's selections of ballot preferences, in  
1240 addition to an audio description of the electronic summary screen and  
1241 comply with such additional standards of accessibility included in

1242 regulations that the Secretary of the State may adopt in accordance  
1243 with the provisions of chapter 54.

1244 (B) Notwithstanding the provisions of subparagraph (A) of this  
1245 subdivision, on or before June 30, 2007, the Secretary the State may  
1246 approve an electronic voting machine that does not comply with the  
1247 provisions of said subparagraph if (i) the Secretary determines that  
1248 there are no electronic voting machines available for purchase or lease  
1249 at the time of such approval that are capable of complying with said  
1250 subparagraph (A), (ii) the electronic voting machine complies with the  
1251 provisions of subdivisions (1) to (4), inclusive, of this subsection, and  
1252 (iii) the person applying to the Secretary for approval of the electronic  
1253 voting machine agrees to include a provision in any contract for the  
1254 sale or lease of such voting machines that requires such person, upon  
1255 notification by the Secretary that modifications to such machines that  
1256 would bring the machines into compliance said subparagraph (A) are  
1257 available, to (I) so modify any electronic voting machines previously  
1258 sold or leased under such contract in order to comply with said  
1259 subparagraph (A), and (II) provide that any electronic voting machines  
1260 sold or leased after receipt of such notice comply with said  
1261 subparagraph (A). No voting machine approved under this  
1262 subparagraph shall be used on or after July 1, 2007, unless it has been  
1263 modified to comply with the provisions of subparagraph (A) of this  
1264 subdivision.

1265 Sec. 30. Subdivision (5) of section 8 of substitute senate bill 55 of the  
1266 current session, as amended, is repealed and the following is  
1267 substituted in lieu thereof (*Effective from passage*):

1268 (5) Not later than five business days after each election in which a  
1269 direct recording electronic voting machine is used, the registrars of  
1270 voters or their designees, representing at least two political parties,  
1271 shall conduct a manual audit of the votes recorded on at least (A) two  
1272 direct recording electronic voting machines used in each assembly  
1273 district, or (B) a number of direct recording electronic voting machines  
1274 equal to fifty per cent of the number of voting districts in the



1275 municipality, whichever is less. Not later than five business days after  
1276 a primary in which a direct recording electronic voting machine is  
1277 used, the registrar of voters of the party holding the primary shall  
1278 conduct such a manual audit by designating two or more individuals,  
1279 one of whom may be the registrar, representing at least two candidates  
1280 in the primary. The machines audited under this subdivision shall be  
1281 selected in a random drawing that is announced in advance to the  
1282 public and is open to the public. All direct recording electronic voting  
1283 machines used within an assembly district shall have an equal chance  
1284 of being selected for the audit. The Secretary of the State shall  
1285 determine and publicly announce the method of conducting the  
1286 random drawing, before the election. The manual audit shall consist of  
1287 a manual tabulation of the contemporaneously produced, individual,  
1288 permanent, voter-verified, paper records produced by each voting  
1289 machine subject to the audit and a comparison of such count, with  
1290 respect to all candidates and any questions or proposals appearing on  
1291 the ballot, with the electronic vote tabulation reported for such voting  
1292 machine on the day of the election or primary. Such audit shall not be  
1293 required if a recanvass has been, or will be, conducted on the voting  
1294 machine. Such manual audit shall be noticed in advance and be open  
1295 to public observation. A reconciliation sheet, on a form prescribed by  
1296 the Secretary of the State, that reports and compares the manual and  
1297 electronic vote tabulations of each candidate and question or proposal  
1298 on each such voting machine, along with any discrepancies, shall be  
1299 prepared by the audit officials, signed and forthwith filed with the  
1300 town clerk of the municipality and the Secretary of the State. If any  
1301 contemporaneously produced, individual, permanent, voter-verified,  
1302 paper record is found to have been damaged, the same procedures  
1303 described in subdivision (3) of this section for substituting such record  
1304 with the voting machine generated, individual, permanent, paper  
1305 record produced by the voting machine bearing the identical machine  
1306 generated unique identifier as the damaged record shall apply and be  
1307 utilized by the audit officials to complete the reconciliation. The  
1308 reconciliation sheet shall be open to public inspection and may be used  
1309 as prima facie evidence of a discrepancy in any contest arising

1310 pursuant to chapter 149 of the general statutes. If the audit officials are  
1311 unable to reconcile the manual count with the electronic vote  
1312 tabulation and discrepancies, the Secretary of the State shall conduct  
1313 such further investigation of the voting machine malfunction as may  
1314 be necessary for the purpose of reviewing whether or not to decertify  
1315 the voting machine or machines and may order a recanvass in  
1316 accordance with the provisions of subdivision (4) of this section.

1317 Sec. 31. (NEW) (*Effective July 1, 2005*) Notwithstanding the  
1318 provisions of title 9 of the general statutes, if a candidate is elected to  
1319 two or more offices in a municipality at the same election and is  
1320 prohibited by any provision of the general statutes, a charter or an  
1321 ordinance from holding more than one such office, the candidate shall  
1322 notify the registrars of voters and the municipal clerk of the office to  
1323 which the candidate declines election, and the candidate for such office  
1324 who receives the next highest number of votes at such election shall be  
1325 deemed to have been elected to such office.

1326 Sec. 32. Subdivision (1) of section 9-450 of the general statutes, as  
1327 amended by section 3 of substitute senate bill 55 of the current session,  
1328 is repealed and the following is substituted in lieu thereof (*Effective*  
1329 *from passage*):

1330 [(1) In the case of a vacancy in the office of representative in  
1331 Congress or judge of probate in a probate district composed of two or  
1332 more towns, provided for in sections 9-212 and 9-218, the day named  
1333 for the election shall be not earlier than the sixty-third day following  
1334 the day on which the Governor issues writs of election. If such a  
1335 vacancy occurs between the one hundred twenty-fifth day and the  
1336 sixty-sixth day before the day of a regular state election, the Governor  
1337 shall issue such writs on the sixty-third day before the day of such  
1338 state election, ordering an election to be held on the day of such state  
1339 election. If such a vacancy occurs after the sixty-sixth day before the  
1340 day of a regular state election but before the Wednesday following the  
1341 first Monday of January of the succeeding year, the Governor shall not  
1342 issue such writs and no election shall be held under sections 9-212 and

1343 9-218 and this subdivision, unless the position vacated is that of  
1344 member-elect, in which case the Governor shall issue such writs and  
1345 an election shall be held as provided in said sections and this  
1346 subdivision. The delegates to the district convention held for the  
1347 purpose of nominating a candidate for the office of representative in  
1348 Congress or judge of probate in a probate district, as the case may be,  
1349 for the last state election shall be the delegates for the purpose of  
1350 selecting a candidate to fill such vacancy. If a vacancy occurs in the  
1351 delegation from any town, political subdivision or district, such  
1352 vacancy may be filled by the town committee of the town in which the  
1353 delegate resided. Nominations by political parties pursuant to this  
1354 section may be made and certified at any time after the vacancy in the  
1355 office of representative in Congress or judge of probate and not later  
1356 than the thirty-fifth day before the day of the election. No primary  
1357 shall be held for the nomination of any political party to fill any  
1358 vacancy in the office of representative in Congress or judge of probate  
1359 and the party-endorsed candidate so selected shall be deemed, for the  
1360 purposes of chapter 153, the person certified by the Secretary of the  
1361 State under section 9-444 as the nominee of such party.]

1362 (1) In the case of nominations for representatives in Congress and  
1363 judges of probate in probate districts composed of two or more towns,  
1364 provided for in sections 9-212 and 9-218, if the writs of election are  
1365 issued by the Governor on or before the twenty-first day of May in an  
1366 even-numbered year and the election is to be held on the day of the  
1367 state election in such year, the state central committee or other  
1368 authority of each party shall, not later than the twenty-fourth day of  
1369 May in such year, publish notice of the date for the selection of  
1370 delegates to the state or district convention to designate the party-  
1371 endorsed candidate for the office to be filled. Such selection shall be  
1372 made not earlier than the fifty-sixth day after publication of such  
1373 notice and not later than the fifth day before the convention. If such  
1374 writs of election are issued after the twenty-first day of May in such  
1375 year, or if the election is to be held on any day other than the day of the  
1376 state election, the day scheduled for the election shall be not earlier

1377 than the ninety-first day following the day on which such writs of  
 1378 election are issued. The state central committee or other authority of  
 1379 each party shall, not later than the eighty-fourth day preceding the day  
 1380 of the election, publish notice of the day for the selection of delegates  
 1381 to the state or district convention to designate the party-endorsed  
 1382 candidate for the office to be filled, which day shall be not earlier than  
 1383 the twenty-eighth day following such publication and not later than  
 1384 the fifty-sixth day preceding the day of the election. The selected  
 1385 delegates to such convention shall be certified to the town clerks not  
 1386 later than the twenty-first day preceding the day of such primary. The  
 1387 state or district convention shall be convened not earlier than the fifth  
 1388 day following such primary and closed not later than the forty-ninth  
 1389 day preceding the day of the election. Contesting candidacies for  
 1390 nomination to the office to be filled shall be filed not later than four  
 1391 o'clock p.m. on the fifth day following the close of such convention.  
 1392 The Secretary of the State shall fix the day for the primary of each  
 1393 party for the nomination to the office to be filled, which day shall be  
 1394 not earlier than the twenty-first day following the close of such  
 1395 convention and not later than the twenty-first day preceding the day of  
 1396 the election."

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| This act shall take effect as follows and shall amend the following sections: |  |          |
| Section 1   | <i>July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005</i> | 9-135    |
| Sec. 2  | <i>July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005</i> | 9-140(a) |

|         |  |                                     |
|---------|--|-------------------------------------|
| Sec. 3  | <i>July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005</i> | 9-140                               |
| Sec. 4  | <i>July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005</i> | 9-159q                              |
| Sec. 5  | <i>July 1, 2005, and applicable to elections, primaries and referenda held on or after September 1, 2005</i> | 54-56e(c)                           |
| Sec. 6  | <i>July 1, 2005</i>  | 9-7b(a)                             |
| Sec. 7  | <i>July 1, 2005</i>  | 9-311                               |
| Sec. 8  | <i>July 1, 2005</i>  | 9-358                               |
| Sec. 9  | <i>July 1, 2005</i>  | 9-360                               |
| Sec. 10 | <i>July 1, 2005</i>  | 9-361                               |
| Sec. 11 | <i>July 1, 2005</i>  | 9-333y                              |
| Sec. 12 | <i>July 1, 2005</i>  | 12-15(b)                            |
| Sec. 13 | <i>from passage</i>  | New section                         |
| Sec. 14 | <i>October 1, 2005</i>   | 9-241                               |
| Sec. 15 | <i>January 1, 2006</i>   | 9-20(a)                             |
| Sec. 16 | <i>January 1, 2006</i>   | 9-23h                               |
| Sec. 17 | <i>October 1, 2005</i>   | 9-391(c)                            |
| Sec. 18 | <i>October 1, 2005</i>   | 9-418                               |
| Sec. 19 | <i>July 1, 2005</i>  | New section                         |
| Sec. 20 | <i>July 1, 2005</i>  | 9-192a                              |
| Sec. 21 | <i>July 1, 2005</i>  | 9-249                               |
| Sec. 22 | <i>July 1, 2005</i>  | New section                         |
| Sec. 23 | <i>July 1, 2005</i>  | New section                         |
| Sec. 24 | <i>July 1, 2005</i>  | 9-333j(a)                           |
| Sec. 25 | <i>July 1, 2005</i>  | 9-46a                               |
| Sec. 26 | <i>January 1, 2006</i>   | 9-1(y)                              |
| Sec. 27 | <i>January 1, 2006</i>   | 9-17(a)                             |
| Sec. 28 | <i>January 1, 2006</i>   | 9-38                                |
| Sec. 29 | <i>from passage</i>  | 9-242(d)(5)                         |
| Sec. 30 | <i>from passage</i>  | SBI 55 (current session), Sec. 8(5) |

|         |                     |             |
|---------|---------------------|-------------|
| Sec. 31 | <i>July 1, 2005</i> | New section |
| Sec. 32 | <i>from passage</i> | 9-450(1)    |